

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 22-cv-11239

Hon. Matthew F. Leitman

v.

DIANE SZOSTAK, a/k/a
DIANNE SZOSTAK, et al.,

Defendants.

**ORDER SETTING DISCOVERY SCHEDULE AND SCHEDULE
FOR COMPLETION OF SUMMARY JUDGMENT BRIEFING**

Now pending before the Court is a motion for summary judgment filed by Plaintiff United States of America. (*See* Mot., ECF No. 29.) Defendant Diane Szostak (a/k/a Dianne Szostak) has filed a response to the motion. (*See* Resp., ECF No. 30.) Plaintiff acknowledges that Szostak's response may properly be construed as including a request for discovery under Rule 56(d) of the Federal Rules of Civil Procedure. (*See* Reply, ECF No. 31.) The Court chooses to construe the response in that manner and to grant both parties leave to take discovery regarding the issues raised in Szostak's response before the Court rules on the pending motion. The parties may commence taking such discovery immediately and shall conclude the discovery by not later than **December 15, 2023**. The Court advises Szostak that if she feels that she needs to take discovery before responding to the pending motion,

now is her time to do it. The Court does not anticipate affording Szostak or Plaintiff additional time in which to conduct discovery related to the issues raised in the motion and response.

Once the above-authorized discovery is complete, Szostak shall have an opportunity to file a supplemental response to the pending motion for summary judgment. She shall file that response on or before **January 9, 2024**. The United States shall file its reply to Mrs. Szostak's supplemental response on or before **January 23, 2024**.

IT IS SO ORDERED.

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: July 11, 2023

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on July 11, 2023, by electronic means and/or ordinary mail.

s/Holly A. Ryan
Case Manager
(313) 234-5126